

Maine Revised Statutes
Title 17-A: MAINE CRIMINAL CODE
Chapter 47: GENERAL SENTENCING PROVISIONS

§1152. AUTHORIZED SENTENCES

1. Every natural person and organization convicted of a crime shall be sentenced in accordance with the provisions of this Part.

[1977, c. 510, §67-A (AMD) .]

2. Every natural person convicted of a crime must be sentenced to at least one of the following sentencing alternatives:

A. Unconditional discharge as authorized by chapter 54-D; [1999, c. 24, §1 (AMD).]

B. A split sentence of imprisonment with probation as authorized by chapter 49; [1985, c. 821, §3 (RPR).]

C. A fine, suspended in whole or in part, with, at the court's discretion, probation as authorized by chapter 49; [1991, c. 288, (AMD).]

D. A suspended term of imprisonment with probation as authorized by chapter 49; [1985, c. 821, §3 (RPR).]

E. [2013, c. 133, §8 (RP).]

F. A term of imprisonment as authorized by chapter 51; [1989, c. 502, Pt. D, §11 (AMD).]

G. A fine as authorized by chapter 53. Such a fine may be imposed in addition to the sentencing alternatives in paragraphs B, D, F, H, I, L, M and N; [2013, c. 133, §9 (AMD).]

H. A county jail reimbursement fee as authorized by chapter 54-B; [2003, c. 711, Pt. A, §7 (AMD).]

I. A specified number of hours of community service work as authorized by chapter 54-C; [2003, c. 711, Pt. A, §8 (AMD).]

J. [2005, c. 527, §12 (RP).]

K. A fine, suspended in whole or in part, with, at the court's discretion, administrative release as authorized by chapter 54-G; [2005, c. 265, §2 (AMD).]

L. A suspended term of imprisonment with administrative release as authorized by chapter 54-G; [2005, c. 527, §12 (AMD).]

M. A split sentence of imprisonment with administrative release as authorized by chapter 54-G; or [2005, c. 527, §12 (AMD).]

N. A term of imprisonment followed by a period of supervised release as authorized by chapter 50. [2005, c. 527, §12 (NEW).]

[2013, c. 133, §§8, 9 (AMD) .]

2-A. Every natural person convicted of a crime may be required to make restitution as authorized by chapter 54. Subject to the limitations of chapter 54, restitution may be imposed as a condition of probation or may be imposed in addition to any other sentencing alternative included within subsection 2 with the exception of the alternative in subsection 2, paragraph A.

[1991, c. 824, Pt. A, §25 (AMD) .]

2-B. Except when specifically precluded, in choosing the appropriate punishment for every natural person convicted of a crime, the court shall consider the desirability of imposing a sentencing alternative involving a fine either in conjunction with or in lieu of imposing a sentencing alternative involving imprisonment.

[1993, c. 103, §2 (NEW) .]

2-C.

[2009, c. 365, Pt. A, §3 (RP) .]

3. Every organization convicted of a crime must be sentenced to at least one of the following sentencing alternatives:

A. Unconditional discharge as authorized by chapter 49; [1987, c. 157, §1 (RPR) .]

B. A fine, suspended in whole or in part, with probation as authorized by chapter 49; [1989, c. 502, Pt. D, §13 (AMD) .]

C. A fine as authorized by chapter 53. Such a fine may be imposed in addition to the sentencing alternative in paragraph D; [2005, c. 527, §13 (AMD) .]

D. A sanction authorized by section 1153. This sanction may be imposed in addition to the sentencing alternatives in paragraphs B, C and E; or [2005, c. 527, §13 (AMD) .]

E. A fine, suspended in whole or in part, with administrative release as authorized by chapter 54-G. [2005, c. 527, §13 (NEW) .]

[2005, c. 527, §13 (AMD) .]

3-A. Every organization convicted of a crime may be required to make restitution as authorized by chapter 54. Subject to the limitations of chapter 54, restitution may be imposed as a condition of probation or may be imposed in addition to any other sentencing alternative included within subsection 3, with the exception of an unconditional discharge.

[1987, c. 157, §2 (NEW) .]

4. The provisions of this chapter do not deprive the court of any authority conferred by law to decree a forfeiture of property, suspend or cancel a license, remove a person from office or impose any other civil penalty. An appropriate order exercising such authority may be included as part of the judgment of conviction. This chapter does not deprive the Department of Corrections of any authority to grant furloughs and work releases or to transfer persons from one facility to another.

[2009, c. 142, §5 (AMD) .]

SECTION HISTORY

1975, c. 499, §1 (NEW). 1975, c. 740, §§107,108 (AMD). 1977, c. 53, §§1,2 (AMD). 1977, c. 455, §1 (AMD). 1977, c. 510, §§67-A (AMD). 1981, c. 493, §2 (AMD). 1985, c. 821, §§3,4 (AMD). 1987, c. 157, §§1,2 (AMD). 1987, c. 769, §B3 (AMD). 1989, c. 502, §§D10-13 (AMD). 1991, c. 288, (AMD). 1991, c. 824, §A25 (AMD). 1993, c. 103, §§1-3 (AMD).

1995, c. 136, §§1-3 (AMD). 1995, c. 560, §K82 (AMD). 1995, c. 560, §K83 (AFF). 1995, c. 680, §4 (AMD). 1999, c. 24, §1 (AMD). 2001, c. 354, §3 (AMD). 2001, c. 439, §0002 (AMD). 2003, c. 689, §B6 (REV). 2003, c. 711, §§A7-9,B13 (AMD). 2005, c. 265, §§1-3 (AMD). 2005, c. 527, §§12,13 (AMD). 2009, c. 142, §5 (AMD). 2009, c. 365, Pt. A, §3 (AMD). 2013, c. 133, §§8, 9 (AMD).

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